

THE

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S P E E C H

OF

Mr. *H I G G O N S*

IN

PARLIAMENT

At the Reading of the BILL

FOR THE

M I L I T I A

The Twenty Second Day of *MAY*.



L O N D O N,

Printed by *ROGER NORTON*, 1661.

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MILITIA

The Twenty Second Day of MAY

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Mr. Speaker,



Our have a Bill of extraordinary importance now before you, and there are many points of Law in it, which I will not presume to speak to. I shall leave them to the Learned Gentlemen of that Profession, who have spent their time in that noble study. But because all Laws either are, or ought to be grounded upon reason, and all Lawes are to give place to that supream Law of publique safety, I will make bold to speak something to this Bill, though not to the Law, yet to the reasonableness and necessity of it.

I believe there is no man but is sensible of the mighty mischiefs that the late dispute of the Militia brought upon this Nation. For what was the fruit of that Dispute, and what liberty did the Contenders purchase, but a liberty to destroy themselves and ruine their Countrey? a liberty, *Mr. Speaker*, worse than the worst sort of servitude. If the Question of the Militia had been rightly stated, if it had been declared to be wholly in the King, as without doubt in reason

and nature it was, and been settled in him with that latitude and those powers as were requisite for protecting himself and his people, for ought I know, the late war had been prevented and all the calamitous consequences of it. I have ever been of opinion that they who are born under a just, legitimate, and hereditary Monarchy have the same obligations, and owe the same service to their Prince, which the Antients who lived in Common-wealths did to their Countrey. It was an ordinary thing with them to prefer the publick good before their own, and to devote themselves to death, that the place which gave them being might be happy. That zeal which inflamed them with a love to their Countrey ought in my judgement to operate in us for the service of our Prince. For in a Monarchy, the Prince represents the Countrey; the Majesty of the Countrey is in him, his welfare is the welfare of the Countrey, and of every particular person in it: It was a celebrated saying of *Artabannus* Captain of the guard to *Xerxes*, when *Themistocles* fled out of *Greece* to the Court of *Persia*, Stranger, sayes he, the Customes and manners of men are different, and that is laudable in one Nation which is not so in another. You Greeks affect liberty and equality, and to be one

as good as another. But we who are *Persians* think nothing so great and so honourable as to serve and obey our King, who is the image of the living God. If to serve our King be to serve our Countrey, if the interest of the King be the interest of the publique, if all our lives, safeties, and fortunes are bound up in his, certainly we can not make him too great, or be too concern'd for his preservation.

That which first brought men into Societies was the fear they had of one another, and a desire of safety. This made them content to pass away that right which by nature they had to all things, that they might be assured of something: this made them transferr and give up the Dominion of themselves to others. And hence it was that Government arose, from hence it was, I mean from the disposing of this Dominion, that all Governments were denominated; for where the Dominion is placed in many, there it is a Popular State, where it is in some of the better sort, there it is Aristocracy; where it is in one alone, there it is Monarchy. Now all these Governments may be convenient in their proper places. But certainly the most absolute, the most noble, and to use the words of *Plato*, the most divine form of government is that of Monarchy.

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Under this form of Government, Sir, it is our honour to be born; to this form of Government we have the happiness to be restored from one of the vilest and miserablest Anarchies that ever any Nation was under. Nor is that all our happiness; we are not only restored from the worst sort of Government to the best, but by the great mercy of God delivered from the worst men that ever ruled in the worst kind of Government into the hands of one of the best of Princes. Now Sir, the Question before you is, What power you will allow this Prince for his and your own preservation.

The power of the Militia is a thing so inherent in the King, and so inseparable from his person, that without it he cannot perform the ends for which he is a King. He can neither protect us from the attempts of Enemies, nor from the violences of one another. So that of necessity the Militia must be in him, and in him alone: for to divide it betwixt him and any other is a contradiction in the very nature of Government: since where there are two co-ordinate powers in one State, where there are two pretending an equal power to the same thing, and no Superiour to appeal to, the question can not be decided but by force, this force will introduce

duce a war, which must end in the dissolution of the Government.

But the Question is not so much where the right of the Militia is (for I find none expressly deny it to be in his Majesty) as how far the power of it shall extend, and what restraints and limitations shall be laid upon it. The King, it is confessed, hath power to Levy and Array men, but if he have not power to arm and appoint them as he please when he hath levied and arrayed them, to what purpose will they be levied and arrayed? or if he have power to levie, array, and arm them, and can not lead them out of one County into another, as occasion shall require, and danger call them, to what purpose will they be armed? or if he have power to lead them where he please, and can not raise money to maintain them, to what end will he lead them any where? without pay there will be no Discipline, and Forces without Discipline will be worth nothing. It is as good have no Militia as an ineffectual one, as a Militia which will onely trouble the people and not secure them.

It is a vulgar error Sir, that the power of the King is incompetible with the liberty of the people. The restraining of the King does not
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make the people great, but makes the King and the people both little. It distracts and disunites the Sovereign Power, whereas it is in the union of Power that all Empire consists. And therefore it is my opinion that this Bill as it is penned should pass. If I have said any thing, Mr. Speaker, contrary to the sense of this House, as soon as you declare your opinion I shall retract mine. In the mean time I submit my opinion and the reasons of it to your more venerable judgement.

FINIS

